

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

DAVID GAMBINO, :
Plaintiff : CIVIL ACTION NO. 3:18-2241
v. : (JUDGE MANNION)
Warden, FCI-Schuylkill, et al., :
Defendants :
=====

DAVID GAMBINO, :
Plaintiff : CIVIL ACTION NO. 19-0249
v. : (JUDGE MANNION)
Warden, FCI-Schuylkill, :
Defendants :
=====

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS HEREBY
ORDERED THAT:**

1. Plaintiff's motion to motion to consolidate Civil Action No. 3:18-2241 with Civil Action No. 3:19-0249. (Doc. [27](#)) is **DENIED**.
2. Plaintiff's above captioned actions are **DISMISSED**, without prejudice, for Plaintiffs' failure to properly exhaust administrative remedies.
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: May 7, 2019
18-2241-01-Order